IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.79328-M of 2006
Date of Decision:- 18.1.2007

Ram Chander ....Petitioner(s)

through
Mr.Varinder Singh Rana, Advocate

vs.

State of Haryana & ors. ....Respondent(s)

through
Mr.R.D.Sharma, DAG, Haryana.

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CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

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SURYA KANT, J.

Reply filed on behalf of the respondents in Court is taken on record.

The petitioner, who is a life convict, impugns the order dated 12.10.2006 (Annexure P-1) passed by the Director General of Prisons, Haryana whereby the petitioner's case for parole for agricultural purposes has been turned down, despite the recommendations made by the District Magistrate, Bhiwani on the ground that there is no agricultural land in his name.

Somewhat similar stand has been taken in the written statement also.

On the other hand, it is contended that the petitioner's father owns agricultural land measuring 74 kanals 15 marlas in village Kanheti, District Bhiwani. It is also claimed that the petitioner was in cultivating possession of the said undivided agricultural land before his conviction.

If that is so, the petitioner fulfills the requirement of Section 3 (1) (c) of the Haryana Good Conduct Prisoners (Temporary Relief) Act,

1988.

Consequently and for the reasons aforestated, this petition is allowed to the extent that the impugned order dated 12.10.2006 is quashed and the Director General of Prisons, Haryana is directed to get the facts reverified and if the above-noticed plea taken by the petitioner is found to be correct, to reconsider his case for agricultural parole within a period of two months from the date of receipt of certified copy of this order.

January 18, 2007 **(SURYA KANT)**
poonam **JUDGE**